

## FTC & ad claims

Federal Trade Commission (FTC) has required several advertisers to stop making effectiveness claims which the FTC believes are false & misleading & has ordered other companies to substantiate their advertising claims.

- FTC has accepted a consent order from STP Corp., maker of motor oil additives, prohibiting the company from representing directly or indirectly that STP products clean car engines, eliminate friction or wear & prevent mechanical problems. FTC's complaint that led to the consent order alleged that contrary to STP's advertising:

- STP Oil Treatment does not eliminate engine friction & wear in a car engine.

- STP Gas Treatment will not provide a complete tune-up in a car.

- STP Dual Oil Filter does not meet or exceed all car manufacturers' specifications for oil filters.

- FTC has ruled that Beneficial Corp. & its wholly owned subsidiary, Beneficial Management Corp., have made false claims in connection with their income tax preparation business & have misused the confidential information obtained from taxpayer customers. FTC ordered the firms (1) not to use tax return information for other purposes unless the consumer gives prior consent & (2) to stop using the "Instant Tax Refund" slogan in their advertising. According to FTC, the Instant Tax Refund is not a refund at all but a personal consumer loan, with regular finance charges, costs & repayment period.

- FTC has ordered 3 drug companies to substantiate their advertising claims for dental products:

- Block Drug Co. was ordered to substantiate television ads for Polident Denture Cleanser Tablets, which claimed that the product had "50% more effervescence . . . To help work better on denture stains & odor . . . You'll see the difference." The company was also ordered to substantiate a printed ad for Poli-Grip Denture Adhesive, which showed pictures of foods which are difficult to chew with the headline: "Denture wearers, check the foods you can eat without worry."

- Warner-Lambert Co. was ordered to substantiate a television ad for Extra Strength Efferdent Denture Cleanser, where a string of pearls made of denture material, steeped in a pot of tea, is cleaned in Efferdent "with more stain removing power than the next leading tablet"

- Procter & Gamble Co. was ordered to substantiate television ads for Crest toothpaste dealing with adults' need for Crest & the need for Crest in areas with fluoridated water.

In the case of consent orders, FTC says that firm's agreement to stop advertising practices is not an admission that it has violated the law.

# consumer news

DEPARTMENT OF HEALTH, EDUCATION & WELFARE  
Office of Consumer Affairs  
Virginia H. Knauer, Director

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## About funerals: read & save for your survivors

Federal Trade Commission (FTC) has taken new steps to give consumers important information on funeral costs & to do away with certain industry practices—like unnecessary embalming or requiring the purchase of a casket for cremation—that FTC believes are unfair to consumers.

Following a 2-year investigation of the \$2-billion-a-year funeral industry, FTC has proposed a new regulation to supervise the way funerals are sold. As a more immediate step, FTC has accepted a consent order with Service Corporation International (SCI), the nation's largest funeral service corporation, prohibiting SCI from overcharging its customers on crematory services & requiring refund of overcharges to SCI customers. (A consent order is for settlement purposes only & does not constitute an admission by the company that it has violated the law.)

The complaint that led to the consent order alleged that through its 139 funeral homes (in California, Colorado, Connecticut, District of Columbia, Florida, Georgia, Illinois, Kansas, Louisiana, Maryland, Minnesota, New Jersey, North Carolina, Tennessee, Texas & Washington) & SCI misstated amounts advanced & overcharged its customers for such services as flowers, pallbearers & obituary notices. Under the consent order, SCI will be required to locate all of its customers since Jan. 1, 1971 who were improperly charged & give them a refund of the overcharges plus a share of the overcharges that would have been paid to customers SCI cannot locate.

Under FTC's proposed regulation, [see this issue of CONSUMER REGISTER] the country's 22,000 funeral directors would be required to furnish customers with an itemized list of prices for the services & merchandise (such as shrouds) as well as a casket price list (which includes the price of all caskets in ascending order of price). In addition funeral directors would have to give consumers a memorandum, at the time funeral arrangements are made, that records the items selected & the prices. The regulation would also require funeral homes to include in their advertisements a notice that price information is available & the telephone number to call to get this information.

To protect consumers from certain funeral practices that the FTC believes are unfair, the proposed regulation would also prohibit funeral directors from engaging in the following activities:

- Picking up or embalming corpses without permission from the family.
- Requiring those who choose cremation to purchase a casket. FTC found that consumers often aren't told that a simple, cheap container is adequate for cremation.

- Profiting on items & services paid for directly by the funeral parlor & then charged to the consumer such as cremations, obituary notices, flowers & cemetery charges. FTC has collected evidence that indicates that consumers are sometimes charged considerably higher amounts for these "cash advance items" than what is paid by the funeral homes.

- Misrepresenting the legal or public health necessity for the preservative utility of embalming, caskets or burial vaults. FTC said that consumers,

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## Condominium study

In response to a Congressional directive, **Housing & Urban Development Dept. (HUD)** has conducted the first national study of condominiums. The study, which contains the most detailed national data available on condominiums, found that:

- About 4 million Americans live in about 1.69 million condominiums & cooperative units across the country, with nearly 50% of these units located in Florida, California & New York.

- Number of condominiums built since 1970 has increased 15 fold—creating a total of about 1.25 million units. At the same time, conversion of rental properties to condominiums has increased on a much smaller scale to about 100,000.

- Certain areas of the country—most notably Ft. Lauderdale, FL, & the Lake Tahoe region of California & Nevada—have inventories of unsold condominium units, which are having a negative impact on new housing construction.

- Condominium units tend to sell at prices below those of single family homes. However, the life-cycle costs of a condominium (mortgage, utilities, maintenance & condominium fees) may be equal to or in some cases greater than other forms of housing.

- Although all types of consumers own condominiums, couples of 45-64 years of age, whose children have left home, & the elderly are the dominant buyers.

In addition to these general facts about condominiums, the study pinpointed these major problems & abusive practices associated with condominium sales: long-term recreation leases where the developer maintains ownership of the recreation areas (& such other areas as the parking lots) & leases them back to condominium owners for a fee; shoddy construction of the units; overly complicated legal documents, displacement of existing tenants during conversion & loss of deposits.

The study reported that the greatest problem consumers have with condominiums is their ability, as an association of property owners, to operate & maintain their commonly owned properties. The failure of these associations to properly maintain the common properties, the study concluded, will directly affect the value of each consumer's unit.

For more information on the study—or if you have a condominium complaint—write to the Office of Policy Development & Research, Housing & Urban Development Dept., Washington, DC 20410.

## Jaws



(Well, not quite, but read on)

Fish products, high in protein, are a major source of food in this country. But while there is mandatory inspection of meat & poultry to insure that consumers buy safe & wholesome products, there is no required inspection of fish & fishery products. As a result, you must really be a more selective & informed shopper when selecting seafood. But how?

To help you determine quality when buying fish, **Commerce Dept.'s National Marine Fisheries Service (NMFS)** has developed a list of things to look for in determining whether seafood is safe & fresh. This list is the same one used by Federal inspectors under a new voluntary fish inspection program, which NMFS is conducting. Under the program, fish processors & canners can pay for Federal inspectors to examine their fish & certify that they have been found to be safe, wholesome & of a good quality.

Fishery products certified under the voluntary inspection program carry these marks on their packages:



"U.S. Dept. of Commerce, Packed Under Federal Inspection" mark. It is given only to inspected seafood & means that it has been statistically sampled & found to be of good quality.



Grade A Shield. This mark is only given to top quality products—ones that are uniform in size, free of blemishes & defects & that possess a fresh flavor & odor.

NMFS estimates that about 30% of the fishery products processed in this country are inspected under the new program. These include canned tuna & these frozen items: fried fish, fish cakes, fish dinners, breaded shrimp, scallop products & seafood platters. However, most fresh fish is not inspected because the consumer can see, touch & smell it to determine its freshness. But to do this, you need to know what to look for.

### Fresh seafood

**FISH:** 1. First look at the eyes, which should be bright, clear & protruding slightly from the head. If the eyes have sunken into the head, the fish is probably not fresh.

2. Next check the gills. They should be bright red or pink. As quality slips, the gills begin to darken.

3. If the fish is gutted, turn it over & look at the intestinal cavity, which should be pink & have a fresh, clean appearance.

4. Any fresh cut of fish should have firm flesh, which will spring back when gently pressed with your finger. The skin should be shiny, & the fish should have mild, clean odor.

In addition to determining the freshness of the fish, you must also decide what form of fish to buy. Fresh fish is usually sold in these forms:

- **Whole or round fish**—In this form, you must scale & gut the fish before you cook it. You will probably be able to use about 60% of the fish once it is scaled, gutted & the head, tail & fins are removed.

- **Dressed**—This form of fish is cleaned (scaled with the head, tail & fins removed) & ready to cook. Since it still has the bones & skin, you will be able to eat about 80% of this form.

- **Fish steaks**—This form consists of cross section slices of a large, dressed fish. Once you remove the bones, you can use about 90% of this form.

- **Filletts**—This is slices of fish, cut away from the backbone & ready to cook. In this form, you can use 100% of the fish.

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## Fish

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In deciding which form of fish to buy, NMFS suggests that you consider the cost per edible pound in terms of both convenience & waste. With fish that are bony or hard to prepare, it may pay to buy a form that, although more expensive per pound, has more edible flesh.

**CRABS & LOBSTERS:** If they are fresh, look for movement of the legs. If there is no movement, they are probably dead. Don't buy.

**CLAMS & OYSTERS:** • They should be alive when bought in the shell. If the shells are closed, the shellfish are alive. If the shell is open, tap it gently to see if it closes. If it doesn't, the fish is probably dead & should be rejected.

• In the case of shucked oysters, check them for plumpness & to see if they have a natural creamy color & are in a clear liquid.

**SHRIMP:** Fresh shrimp is sold "green"—raw & in the shell, with or without head.

### Frozen seafood

**FISH:** • Make sure the fish is solidly frozen & has no objectionable odor.

• Frozen fish may be glazed (dipped in water one or more times & quickly frozen to produce an icy glaze that protects the fish from dehydration.) As long as the glaze remains intact & the fish remains frozen, it will keep well. If the glaze has melted or is chipped, the unprotected flesh may turn a cottony white. This is called "freezer burn" & even though the fish is still frozen, the exposed flesh has begun to suffer a cellular breakdown & should be rejected.

• Avoid damaged packages. Fish is packed in moisture & vapor-proof materials to prevent dehydration & contamination. If the package is damaged, it could mean quality loss. Also, don't buy packages stacked above the freezing line in the store freezer. They may be thawed or in the process of thawing.

**BREADED:** • Check the labels of breaded products. If the label says "regular breading," it contains 50% fish, if label says "lightly breaded," it must contain at least 65% fish.

• When you open the package, look for coating defects. If there are any cracks in the breading, return the package to the store.

**SHRIMP:** Frozen shrimp is sold according to color & count size—the smaller the size of the shrimp, the less expensive per pound. Count size per pound should be listed somewhere on the package. The sizes run: 1-5 shrimps, 6-10, 11-15, 16-20, 21-25, 26-30, 31-35, 35 shrimp or more.

### Canned seafood

• Check the condition of the can. If it is bulging, something has broken the seal & the fish may be spoiled. If the can is dented or rusty, there is no way to know if the seal has been broken.

• When you open the can, check to make sure that the flesh is firm. If the meat is overcooked, the flesh next to the can will be darker. If this is the case, return the fish to the store.

• If the fish is packed in oil, the oil should be clean, not milky. Also, the can should be properly filled to the top. If it isn't, it should be returned.

• When buying canned tuna, be a label watcher. Albacore is the only kind of tuna that can be labeled "white meat." "Light meat" tuna comes from the yellow fin, skip jack & blue fin varieties. If the can contains bonito, a fish very much like tuna, it must be labeled "bonito."

For a free list of approved sanitarily inspected fish establishments, write to Consumer Information, Pueblo, CO 81009; ask for the publication *Inspected Fishery Products* (#332C).

## Warning!

• **HOME CANNING—Agriculture Dept.** warns home canners not to experiment with substitutes for acceptable (traditional) canning lids. Because of difficulty in obtaining home canning replacement lids, many consumers, according to Agriculture, are trying questionable methods of reusing old lids & are experimenting with such products as sealants, rubber cement, glue, bathroom caulking & cellophane. Agriculture warns that use of these products could result in food which might not be safe to eat because the food has not been preserved by a lid that really seals.

• **What to do:** Do not take short cuts or experiment in home canning. Use only jars & lids made especially for home canning. As an alternative to home canning, consider freezing or drying fresh fruits & vegetables. For more information on freezing & drying, consumers should contact the Cooperative Extension Service in their counties.

• **ORAL CONTRACEPTIVES—Food & Drug Administration (FDA)** has advised doctors & other health professionals of new evidence that there is an increased risk of heart attack in women over 40 who take birth control pills. FDA's **Obstetrics & Gynecology Advisory Committee** has recommended that women over 40 be made aware of this information & be urged by doctors to use other forms of contraception. FDA intends to revise the labeling for oral contraceptives to reflect this recommendation.

FDA's action is the result of 2 recently published British studies that strongly suggest that oral contraceptive users are a greater risk of developing coronary thrombosis than non-users. According to the studies, the risk of heart attack to pill users in the 40- to 44-year-old group was 5.7 times that of non-users; between 30 & 39 years old, the risk was 3 times that of non-users.

In response to FDA's warning, the American College of Obstetrics & Gynecology & the Planned Parenthood association called for more extensive, long-term research. The American Medical Association said its department of drugs will investigate the new British data further.

## Recall

• **HERBAL DRUG—Food & Drug Administration (FDA)** announces recall of Moss's Herbal Trip kits, an over-the-counter drug containing various herbs, botanicals or nuts. Recall number #D-060-6. All stock is being recalled by the manufacturer, The House of Ripps Ltd., Yonkers, NY. Distribution was to record stores, "underground boutiques" & "head shops" nationwide & to Puerto Rico. FDA says product is a new drug that has not been approved. It contains certain botanicals & nuts known to cause adverse reactions.

## New consumer office

**Environmental Protection Agency (EPA)** has established a consumer program within its Office of Public Affairs to provide consumers with information on environment concerns, such as air & water pollution control, noise abatement, solid waste management, pesticides & radiation. EPA's best known consumer program is its miles-per-gallon ratings of cars.

Kate Stahl is the consumer specialist in charge of the new program to provide the following services;

- Practical information, such as substitutes for pesticides that have been banned.
- Guidelines for individual involvement in environment or conservation programs.
- Clarification of EPA's programs & goals for environmental quality.
- Source of contact for consumers who want to inform EPA of their views on environmental issues.

Send questions or requests for information to Kate Stahl, Environmental Protection Agency, Washington, DC 20460, or call 202-755-0710.

## Agency extended

President Ford has signed Public Law 94-78 extending the life of the **Council on Wage & Price Stability (CWPS)** for 2 more years & giving it new powers. CWPS is charged with monitoring wages & prices to ward off excessive increases & to hold public hearings on issues affecting inflation.

Under the new law, CWPS will now have the power to require periodic reports by companies relating to wages, costs, productivity, prices, sales, profits, imports & exports.

## About funerals

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who have almost no knowledge of funeral procedures & legal requirements, have been subjected to practices that create false expectations about funeral or burial requirements.

• Disparaging consumers who are concerned about the price of funerals. FTC found that consumers are often steered to higher-priced funerals by funeral personnel who hint that they lack affection for the deceased or who purposefully make lower-priced merchandise appear unattractive.

FTC's proposed regulation includes the provision that funeral homes furnish a fact sheet to insure that consumers are no longer confused about legal & public health requirements of funerals. Fact sheet would explain to consumers that: embalming is not required by law; a casket is not necessary for cremation; & other receptacles such as burial vaults or grave liners are not required by law but may be required in certain cemeteries.

## More on ♦ ♦ ♦ Consumer Service Card

**CONSUMER NEWS:** June 15 advised consumers who do not have their postal complaints resolved to their satisfaction to ask their local post office for a "Consumer Service Card." This card was used by **Postal Service (PS)** as a pilot test in Arizona, Illinois, Massachusetts & Rhode Island between the end of May & early July, but it was never available on a national scale. That is why most post offices had never heard of it when consumers came in requesting the card. However, consumers, postmasters & postal employees, who did have access to the card, gave it high marks during the test period.

PS has now announced that the Consumer Service Card will be available nationally beginning Oct. 1. All post offices, stations & branches will have it, as well as city delivery & rural mail carriers. The card is a 2-piece card—one card goes to the local postmaster, who has full responsibility for handling the complaint. The other card goes to PS's **Office of Consumer Affairs** in Washington where the information is used to index consumer complaints & satisfaction.

The card can be used for information requests, suggestions & other comments as well as complaints.

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